



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KO, CHIN-HO

SERIAL NO.: 10/628,053

ART UNIT: 3711

FILED: July 28, 2003

EXAMINER: LEGESSE, N.F.

TITLE: DEVICE FOR TRAINING THE STANCE OF A GOLFER

AMENDMENT "A"

Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of March 9, 2004, having a response being due by June 9, 2004, please consider the following remarks:

REMARKS

Upon entry of the present remarks, previous Claims 1 - 8 have been canceled and new Claims 9 - 15 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments present remarks, is respectfully requested. The present amendments have been entered for the purpose of distinguishing the present invention from the prior art.

In the Office Action, it was indicated that Claims 1 - 8 were rejected under 35 U.S.C. § 102(b) as anticipated by the Bellagamba patent. Additionally, the disclosure was objected to because of minor informalities.

As an overview to the present reply, Applicant has amended the original claim language in the form of new Claims 9 - 15. In particular, the new claims present independent Claim 9, independent Claim 11 and independent Claim 14. Each of these independent claims defines features of the present invention which are distinguishable from the Bellagamba patent. In particular, independent Claim 9 emphasizes that the arcuate track has “a generally horizontal cross-section in a plane extending vertically therethrough”. Additionally, independent Claim 9 recites that the arcuate track has “a generally vertical guide wall extending upwardly from one side of said horizontal cross section”. New independent Claim 11 emphasizes that the plurality of arcuate segments “each has a curvature of less than a semicircle”. Independent Claim 11 further recites that the support frame is “affixed directly” to “an underside” of at least one of the plurality of arcuate segments. Independent Claim 14 also recites that the defining piece includes “a body and a pair of projections extending from an underside thereof”. It is this pair of projections which are “selectively received” in a respective pair of locating holes. Finally, independent Claim 14 emphasizes that the defining piece has “an abutment member extending outwardly therefrom and beyond a side of the arcuate track”. Applicant respectfully contends these features are neither shown nor suggested by the prior art Bellagamba patent.

As can be seen in the Bellagamba patent, the Bellagamba patent includes a pair of semicircular tracks which are joined together so as to define an entirely circular golf swing training path. Each of the semicircular segments is of a circular cross section. Each of the arcuate segments is supported above the earth by a relatively complex support structure defining at several pipes which are connected to the inside surface of the semicircular segments. The segments are joined together

through the use of screws and the joining of an interior pipe by the alignment of holes of the interior pipe.

With respect to independent Claim 9, it can be seen that the golf swing guide of the Bellagamba patent has a circular cross section. As such, independent Claim 9 is distinguishable in that the Bellagamba patent does not show the arcuate track as having “a generally horizontal cross-section in a plane extending vertically therethrough”. Additionally, it is only the exterior of the circular cross-sectioned swing guide of the Bellagamba patent that contacts the shaft of the golf club. This is different than the “generally vertical guide wall” which extends upwardly from one side of the horizontal cross-section of the arcuate track of the present invention. Additionally, and further, with respect to independent Claim 9, the support frame in the Bellagamba patent is connected to an inside surface of the swing guide 14. In the present invention, it is defined that the support frame is connected “to an underside” of the arcuate track. On this basis, Applicant contends that independent Claim 9 is patentably distinguishable from the prior art Bellagamba patent.

With respect to independent Claim 11, each of the arcuate segments in the Bellagamba patent is of a semicircular configuration. However, the plurality of arcuate segments of the present invention are substantially less than a semicircle. Additionally, in the Bellagamba patent, the support frame is connected to the backside of the circular swing guide. Independent Claim 11 now recites that the support frame is “affixed directly to an underside” of one of the arcuate segments. On this basis, Applicant respectfully contends that independent Claim 11 is no longer anticipated by the Bellagamba patent.

With respect to independent Claim 14, Applicant notes that the Examiner has indicated that the “defining piece” in the Bellagamba patent is the screw 70 (as shown in Figure 7). The “locating

holes” in the Bellagamba patent are defined as the holes 73 formed for the receipt of the screw 70. So as to distinguish the present invention from this connection structure of the Bellagamba patent, Applicant has defined, in independent Claim 14, that the “defining piece” has a “body and a pair of projections” extending from an underside of the body. Independent Claim 14 further recites that the pair of projections are selectively received in “a respective pair of locating holes”. Additionally, and furthermore, the defining piece is now identified as having “an abutment member” which extends outwardly therefrom and beyond a side of the arcuate track. Quite clearly, in the Bellagamba patent, the exterior surface serves as a entirely smooth swing guide. There is no “stop” which indicates the upward limit of the swing. There is no mechanism in the Bellagamba patent for the attachment of such a “defining piece”. Independent Claim 14 recites the structure that is used for allowing the “defining piece” to be secured to the arcuate track. On this basis, Applicant contends that independent Claim 14 is patentably distinguishable from the Bellagamba patent.

New dependent Claim 10 reflects the limitations of previous dependent Claim 3. New dependent Claims 12 and 13 reflects the limitations of previous dependent Claims 5 and 6. New dependent Claim 15 reflects the limitations of previous dependent Claim 8.

Applicant has revised the specification so as to correct for the minor numerical errors therein.

Based upon the foregoing analysis, Applicant contends that independent Claims 9, 11 and 14 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the

rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

4-30-04

Date


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